

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:	:	
Thor W. NILSEN	:	
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Application No.: 10/607,188	:	Group Art Unit: 1634
	:	
Filed: January 26, 2003	:	Examiner: Sisson, Bradley L.
	:	
For: NUCLEIC ACID ASSAY AND	:	Confirmation No. 6182
METHOD OF DETECTING	:	
THE PRESENCE OF A	:	
NUCLEIC ACID SEQUENCE	:	
	X	

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE UNDER 37 C.F.R. § 1.111**

Sir:

This paper is being submitted in reply to the Office Action mailed on November 19, 2009, in the above-identified application. A response to the Office Action is due by February 19, 2010. Accordingly, this paper is being timely filed.

Claims 1-27 are pending in the application. Claims 1, 2, 4 and 5 are rejected. Claims 3 and 6-27 are withdrawn from consideration. No claims are allowed.

Reconsideration of the claim rejections and allowance of the pending claims in view of the following remarks are respectfully requested.